

**SUPREME COURT MINUTES  
WEDNESDAY, AUGUST 30, 2006  
SAN FRANCISCO, CALIFORNIA**

**S046733****PEOPLE v. DEMETRULIAS (GREGORY)**

Petition for rehearing denied.

**S123133**

C040754 Third Appellate District

**PEOPLE v. BRENDLIN**

Rehearing denied.

Werdegar, Moreno, and Corrigan, JJ., are of the opinion the petition should be granted.

**S123659**

H023778 Sixth Appellate District

**BIG CREEK LUMBER v. COUNTY OF  
SANTA CRUZ**

Request for judicial notice granted.

Opinion modified - no change in judgment.

Petition for rehearing denied.

Kennard, Baxter, and Moreno, JJ., are of the opinion the petition should be granted.

**S131798**

A106199 First Appellate District, Div. 4

**CALIFORNIANS FOR DISABILITY  
RIGHTS v. MERVYNS, LLC**

Rehearing denied.

Request for modification denied.

**S124494**

B162235 Second Appellate District, Div. 7

**DORE v. ARNOLD WORLDWIDE**

Request for modification denied.

**S144492**

E036942 Fourth Appellate District, Div. 2

**MANTA MANAGEMENT v. CITY OF SAN  
BERNARDINO**

Petition for review granted.

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S129896**

D042645 Fourth Appellate District, Div. 1

**PEOPLE v. CALHOUN**

The issues to be argued by the parties are limited to the first and third issues raised in the Attorney General's Petition for Review. (Cal. Rules of Court, rule 29(a)(2).) These are: 1) was defendant Lawrence Lamont Calhoun, who admits he is guilty of vehicular manslaughter with gross negligence as an aider and abettor because he engaged in an illegal street race during which his opponent crashed into the victims' car, subject to an enhancement under Vehicle Code § 20001, subdivision (c), for fleeing the scene after "committing" vehicular manslaughter with gross negligence, and 2) may an upper term sentence be imposed for vehicular manslaughter with gross negligence based upon multiple victims as an aggravating factor, even though only one victim was named in each count.

**S144419**

H028674 Sixth Appellate District

**PEOPLE v. SHAZIER**

Petition for Review granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Lopez*, S143615 (See Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the Court.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S144583** E040533 Fourth Appellate District, Div. 2 **SOLIZ (JAMES JAIME) ON H.C.**

Review for review granted. The matter is transferred to the Fourth Appellate District, Division Two. That court is ordered to vacate its summary denial in E040533 dated June 6, 2006, and to issue an order to show cause, returnable before that court. The Director of Corrections and Rehabilitation is to be ordered to show cause, when the matter is placed on calendar, why there was "some evidence" to support the finding that petitioner committed a serious rules violation on May 28, 2003. (See *Superintendent v. Hill* (1985) 472 U.S. 445.) The return is to be filed on or before September 29, 2006.

Votes: George, C.J., Kennard, Werdegarr, and Moreno, JJ.

**S133249** E037699 Fourth Appellate District, Div. 2 **HARWOOD (PAUL) ON H.C.**

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its March 24, 2005, order denying the petition for writ of habeas corpus and with further directions to issue an order to show cause returnable before the San Bernardino County Superior Court. The Director of the Department of Corrections and Rehabilitation is to be ordered to show cause, when the matter is ordered on calendar, whether petitioner is entitled under *In re Reeves* (2005) 35 Cal.4th 765, to worktime credits (Pen. Code, § 2933) he did not receive and, if so, whether such credits should be deducted from any remaining term of parole supervision (see *In re Ballard* (1981) 115 Cal.App.3d 647, 649-650; see also *In re Phelon* (2005) 132 Cal.App.4th 1214, 1222-1221). The return is to be filed on or before September 29, 2006.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S123962** **PANAH (HOOMAN ASHKAN) ON H.C.**

Petition for writ of habeas corpus denied

All claims are denied on their merits. In addition, claims 7 and 8 are also denied insofar as they were raised and rejected on appeal. (*In re Harris* (1995) 5 Cal.4th 813, 829-841; *In re Waltreus* (1965) 62 Cal.2d 218, 225.) Except to the extent they allege ineffective assistance of counsel claims 3, 4, 10, 11, and 14 are also denied insofar as they were raised and rejected on appeal. (*In re Harris*, supra, 5 Cal.4th at pp. 829-841; *In re Waltreus*, supra, 62 Cal.2d at p. 225.) Moreover, claim 9 is also denied insofar as it could have been, but was not, raised in the trial court. (*In re Seaton* (2004) 34 Cal.4th 193, 197-200.) Except to the extent they allege ineffective assistance of counsel, claims 3, 4, 7, 8, 10, 12, and 15 are also denied insofar as they could have been, but were not, raised in the trial court. (*In re Seaton*, supra, 34 Cal.4th at pp. 197-200.) Furthermore, insofar as claim 3 alleges insufficiency of the evidence, it is not cognizable on a petition for writ of habeas corpus. (*In re Lindley* (1947) 29 Cal.2d 709, 723.)

Justice Werdegarr would not deny any claim based on petitioner's failure to have raised it in the trial court.

<b>S143842</b>	B184022 Second Appellate District, Div. 2	<b>C. (V.) v. LOS ANGELES UNIFIED SCHOOL DISTRICT</b>
Petition for review denied.		
<b>S144250</b>	D047022 Fourth Appellate District, Div. 1	<b>A. (CHRISTOPHER), CONSERVATORSHIP OF</b>
Petition for review & depublication request denied.		
<b>S144286</b>	B182857 Second Appellate District, Div. 7	<b>PEOPLE v. NEWMAN</b>
Petition for review denied.		
<b>S144414</b>	E036472 Fourth Appellate District, Div. 2	<b>PEOPLE v. TAYLOR</b>
Petitions for review denied.		
<b>S144430</b>	A103544 First Appellate District, Div. 4	<b>PEOPLE v. JOHNSON</b>
Petition for review denied.		
<b>S144448</b>	H028885 Sixth Appellate District	<b>PEOPLE v. GONZALES</b>
Petition for review denied.		
<b>S144464</b>	A110367 First Appellate District, Div. 5	<b>AICCO, INC. v. INSURANCE COMPANY OF NORTH AMERICA</b>
Petition for review denied. Applications to appear as counsel pro hac vice are granted.		
<b>S144491</b>	F046971 Fifth Appellate District	<b>PEOPLE v. MOSQUEDA</b>
Petition for review denied.		
<b>S144512</b>	B180004 Second Appellate District, Div. 7	<b>PEOPLE v. WALKER</b>
Petition for review denied.		
<b>S144519</b>	C047116 Third Appellate District	<b>PEOPLE v. MAES</b>
Petition for review denied.		
<b>S144520</b>	G034682 Fourth Appellate District, Div. 3	<b>PEOPLE v. LOCKWOOD</b>
Petitions for review denied.		
<b>S144528</b>	G035033 Fourth Appellate District, Div. 3	<b>PEOPLE v. MINO</b>

Petition for review denied.

**S144555** H030159 Sixth Appellate District  
Petition for review denied.

**DALY v. S.C. (PEOPLE)**

**S144567** D046925 Fourth Appellate District, Div. 1  
Petition for review denied.

**PEOPLE v. WILLIAMS**

**S144568** F047779 Fifth Appellate District  
Petition for review denied.

**PEOPLE v. SHILOH**

**S144587** B182133 Second Appellate District, Div. 5  
Petition for review denied.

**PEOPLE v. KIMES**

**S144596** E037782 Fourth Appellate District, Div. 2  
Petition for review denied.

**PEOPLE v. MERRILL**

**S144617** D046072 Fourth Appellate District, Div. 1  
Petition for review denied.

**PEOPLE v. DUNKLEY**

**S144628** D046774 Fourth Appellate District, Div. 1

**SAN DIEGO COUNTY DEPUTY  
SHERIFFS ASSOCIATION v. COUNTY OF  
SAN DIEGO**

Petitions for review & publication request denied.

**S144629** A106805 First Appellate District, Div. 2  
Petition for review denied.

**PEOPLE v. NAVARRO**

**S144660** C047859 Third Appellate District

**PEOPLE v. GOSPEL**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

**S144661** A112188 First Appellate District, Div. 2  
Petition for review denied.

**NAVARRO (JACOBO) ON H.C.**

**S144675** B182470 Second Appellate District, Div. 8  
Petition for review denied.

**PEOPLE v. VALDEZ**

<b>S144789</b>	B184849 Second Appellate District, Div. 5	<b>PEOPLE v. TIONGSON</b>
Petition for review denied.		
<b>S144795</b>	A113824 First Appellate District, Div. 5	<b>FISHER SCIENTIFIC COMPANY v. S.C. (MARTIN)</b>
Petition for review and application for stay denied.		
<b>S144811</b>	H030295 Sixth Appellate District	<b>VONSTAICH (IVAN) H.C.</b>
Petition for review denied.		
<b>S144838</b>	A110378 First Appellate District, Div. 2	<b>MONETTE-SHAW v. SAN FRANCISCO BOARD OF SUPERVISORS</b>
Petition for review denied.		
<b>S144868</b>	B183528 Second Appellate District, Div. 5	<b>PEOPLE v. DE LA CRUZ-CODY</b>
Petition for review denied.		
<b>S144886</b>	G036272 Fourth Appellate District, Div. 3	<b>PEOPLE v. LOPEZ</b>
Petition for review denied.		
<b>S144905</b>	A113602 First Appellate District, Div. 2	<b>RILEY (CHARLES) ON H.C.</b>
Petition for review denied.		
<b>S144922</b>	A109438 First Appellate District, Div. 1	<b>NORTH GUALALA WATER v. STATE WATER RESOURCES CONTROL BOARD</b>
Petition for review denied.		
<b>S144946</b>	B179486 Second Appellate District, Div. 8	<b>JACKSON v. THOMAS</b>
Petition for review denied.		
<b>S144977</b>	B175947 Second Appellate District, Div. 8	<b>HABERBUSH v. CHARLES &amp; DOROTHY CUMMINS FAMILY, L.P.</b>
Petition for review denied.		
<b>S144980</b>	F050617 Fifth Appellate District	<b>MCLAUGHLIN (KEVIN) ON H.C.</b>
Petition for review denied.		

- S144998**      A114248 First Appellate District, Div. 1      **REED (JERMAIN) ON H.C.**  
Petition for review denied.
- S145055**      B181474 Second Appellate District, Div. 4      **POLHILL v. COUNTY OF LOS ANGELES**  
Petition for review denied.
- S145078**      G037281 Fourth Appellate District, Div. 3      **NELSON v. S.C. (PEOPLE)**  
Petition for review and application for stay denied.
- S145079**      G037280 Fourth Appellate District, Div. 3  
Petition for review and application for stay denied.
- S145083**      G035628 Fourth Appellate District, Div. 3      **PEOPLE v. HUTCHCRAFT**  
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.
- S145101**      B183858 Second Appellate District, Div. 8      **PEOPLE v. CURTIS**  
Petition for review denied. (See also *People v. Jones* (1993) 5 Cal.4th 1142, 1144-1145.)
- S145179**      D046122 Fourth Appellate District, Div. 1      **PEOPLE v. ALLEN**  
Petition for review denied.
- S145200**      G035540 Fourth Appellate District, Div. 3      **PEOPLE v. ROBINSON**  
Petition for review denied.
- S145201**      F048379 Fifth Appellate District      **PEOPLE v. MARTINEZ-MILLAN**  
Petition for review denied.
- S145218**      B191988 Second Appellate District, Div. 6      **CRAIG (NORMAN) ON H.C.**  
Petition for review denied.
- S145221**      D048902 Fourth Appellate District, Div. 1      **DREWS v. S.C. (PEOPLE)**  
Petition for review and application for stay denied.
- S145237**      G034144 Fourth Appellate District, Div. 3      **PEOPLE v. BERRY**  
Petition for review denied.

<b>S145240</b>	D046318 Fourth Appellate District, Div. 1	<b>PEOPLE v. STRATTON</b>
Petition for review denied.		
<b>S145244</b>	H029968 Sixth Appellate District	<b>CREPSAC (KARL) ON H.C.</b>
Petition for review denied.		
<b>S145246</b>	B182745 Second Appellate District, Div. 1	<b>C. (G.), IN RE</b>
Petition for review denied.		
<b>S145250</b>	H029378 Sixth Appellate District	<b>PEOPLE v. BARNHART</b>
Petition for review denied.		
<b>S145256</b>	F050603 Fifth Appellate District	<b>TURNER (ANTHONY R.) ON H. C.</b>
Petition for review denied.		
<b>S145257</b>	F048904 Fifth Appellate District	<b>PEOPLE v. MANUEL</b>
Petition for review denied.		
<b>S145259</b>	C049548 Third Appellate District	<b>PEOPLE v. KINSEY</b>
Petition for review denied.		
<b>S145266</b>	C049094/C050150 Third Appellate District	<b>T. (AMY), IN RE</b>
Petition for review denied.		
<b>S145270</b>	H028772 Sixth Appellate District	<b>PEOPLE v. LOPEZ</b>
Petition for review denied.		
<b>S145275</b>	A113955 First Appellate District, Div. 5	<b>HALL-MARTIN v. HARRIS</b>
Petition for review denied.		
<b>S145276</b>	C048079 Third Appellate District	<b>PEOPLE v. JACKSON</b>
Petition for review denied.		
<b>S145280</b>	D046244 Fourth Appellate District, Div. 1	<b>PEOPLE v. MORGAN</b>
Petition for review denied.		
<b>S145284</b>	A107949 First Appellate District, Div. 2	<b>PEOPLE v. CARRANZA</b>
Petition for review denied.		
<b>S145286</b>	H027914 Sixth Appellate District	<b>PEOPLE v. DELGADO</b>

Petition for review denied.

**S145287** B183117 Second Appellate District, Div. 7 **SCHWARTZ v. MEDINA**  
Petition for review denied.

**S145289** H029014 Sixth Appellate District **DELGADO ON H.C.**  
Petition for review denied.

**S145290** E037016/ E03958 Fourth Appellate District, Div. 2 **PEOPLE v. NERI**  
Petition for review denied.

**S145294** F046865 Fifth Appellate District **PEOPLE v. SIHARATH**  
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

**S145297** A108975 First Appellate District, Div. 4 **PEOPLE v. MCHENRY**  
Petition for review denied.

**S145301** B189514 Second Appellate District, Div. 5 **PEOPLE v. BUCKHANA**  
Petition for review denied.

**S145306** B180377 Second Appellate District, Div. 4 **PEOPLE v. THOMAS**  
Petition for review denied.

**S145307** B183147 Second Appellate District, Div. 5 **PEOPLE v. SIMS**  
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

**S145313** G034212 Fourth Appellate District, Div. 3 **BUCHHEIM v. WSMI REAL ESTATE**  
Petition for review denied.

**S145317** B185251/B186548 Second Appellate District, Div. 6 **O. (STEPHANIE), IN RE**  
Petition for review denied.

**S145322** F047827 Fifth Appellate District **PEOPLE v. GRAHAM**



Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

**S145325**      B187165 Second Appellate District, Div. 1      **CHEW v. COUNTY OF LOS ANGELES**  
Petition for review denied.

**S145335**      A109361 First Appellate District, Div. 3      **PEOPLE v. ZARAGOZA**  
Petition for review denied.

**S145338**      E039012 Fourth Appellate District, Div. 2      **PEOPLE v. CARTER**  
Petition for review denied.

**S145343**      F049175 Fifth Appellate District      **S. (JORDAN), IN RE**  
Petition for review denied.

**S145352**      H028970 Sixth Appellate District      **PEOPLE v. SIQUEIROS**  
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

**S145355**      B185750 Second Appellate District, Div. 5      **PEOPLE v. PAGAYON**  
Petition for review denied.

**S145360**      A113448 First Appellate District, Div. 4      **MCCOLM v. JORDAN**  
Petition for review denied.

**S145363**      C050081 Third Appellate District      **PEOPLE v. WATTS**  
Petition for review denied.

**S145379**      G035706 Fourth Appellate District, Div. 3      **PEOPLE v. NGUYEN**  
Petitions for review denied.

**S145385**      C049195 Third Appellate District      **PEOPLE v. JOHNSON**  
Petition for review denied.

**S145389**      D046533 Fourth Appellate District, Div. 1      **PEOPLE v. JAMES**  
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

**S145393** F047075 Fifth Appellate District  
Petition for review denied.

**PEOPLE v. KENDIG**

**S145395** C048284 Third Appellate District  
Petition for review denied.

**PEOPLE v. HARRELL**

**S145399** G035926 Fourth Appellate District, Div. 3  
Petition for review denied.

**HIRAGUCHI v. KIM**

**S145410** A111310 First Appellate District, Div. 2  
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

**PEOPLE v. YATES**

**S145417** B189637 Second Appellate District, Div. 1

**SAFECO INSURANCE v. S.C. (CENTURY SURETY COMPANY)**

Petition for review denied.  
Kennard, J., is of the opinion the petition should be granted.

**S145425** B178055 Second Appellate District, Div. 7

**PEOPLE v. NIEVES**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

**S145431** B192201 Second Appellate District, Div. 2  
Petition for review denied.

**ROBINSON (LEHMAN) ON H.C.**

**S145435** B181783 Second Appellate District, Div. 2  
Petition for review denied.

**SIMPSON v. SIMPSON**

**S145452** B192002 Second Appellate District, Div. 5  
Petition for review denied.

**JONES (TERRILL) ON H.C.**

**S145470** B185061 Second Appellate District, Div. 6  
Petition for review denied.

**PEOPLE v. JOSHUA**

**S145492** B185550 Second Appellate District, Div. 1  
Petition for review denied.

**PEOPLE v. GONZALES**

<b>S145546</b>	E039700 Fourth Appellate District, Div. 2	<b>PEOPLE v. NEASMAN</b>
Petition for review denied.		
<b>S145559</b>	B186159 Second Appellate District, Div. 6	<b>PEOPLE v. MORALES</b>
Petition for review denied.		
<b>S145624</b>	B191907 Second Appellate District, Div. 2	<b>JONES (KENNETH N.) ON H.C.</b>
Petition for review denied.		
<b>S145671</b>	D048698 Fourth Appellate District, Div. 1	<b>BUTLER (JAMES) ON H.C.</b>
Petition for review denied.		
<b>S145809</b>	B192082 Second Appellate District, Div. 4	<b>GONZALEZ v. S.C. (PEOPLE)</b>
Petition for review and application for stay denied.		
<b>S145937</b>	G034424 Fourth Appellate District, Div. 3	<b>PEARSON v. CURFMAN</b>
Petition for review and application for stay denied.		
<b>S133333</b>		<b>QUINTAL (BLANCA) ON H.C.</b>
Petition for writ of habeas corpus denied.		
<b>S135432</b>		<b>ROJAS (JUAN) ON H.C.</b>
Petition for writ of habeas corpus denied.		
<b>S136708</b>		<b>WADE (TOBY T.) ON H.C.</b>
Petition for writ of habeas corpus denied.		
<b>S137242</b>		<b>DEBOES (W.) ON H.C.</b>
Petition for writ of habeas corpus denied.		
<b>S137301</b>		<b>BRYANT (RODNEY A.) ON H.C.</b>
Petition for writ of habeas corpus denied.		
<b>S137436</b>		<b>BOUSAMRA (GARY) ON H.C.</b>
Petition for writ of habeas corpus denied.		

**S137701**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)**BROWN (FREDRICK RAY) ON H.C.****S138158**

Petition for writ of habeas corpus denied.

**FELTON (RENEE DEAN) ON H.C.****S138159**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**JOSEPH (KEITH N.) ON H.C.****S138162**

Petition for writ of habeas corpus denied.

**COBB (EARL) ON H.C.****S138166**

Petition for writ of habeas corpus denied.

**CERVANTES (RICARDO V.) ON H.C.****S138281**

Petition for writ of habeas corpus denied.

**PEREZ (AARON) ON H.C.****S138417**

Petition for writ of habeas corpus denied.

**GALAVIZ (JOSE R.) ON H.C.****S138476**

Petition for writ of habeas corpus denied.

**JACKSON (JARED F.) ON H.C.****S138579**

Petition for writ of habeas corpus denied.

**SMITH (MARQUELL) ON H.C.**

**S138659**

Petition for writ of habeas corpus denied.

(See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061.)**AMOS (DONALD J.) ON H.C.****S138689**

Petition for writ of habeas corpus denied.

**GREENE (PHILIP J.) ON H.C.****S138713**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**BERBERENA (JOHN B.) ON H.C.****S138728**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734; *In re Waltreus* (1965) 62 Cal.2d 218.)**THOMAS (NATHAN) ON H.C.****S138743**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)**FRANKLIN (ROBERT D.) ON H.C.****S138750**

Petition for writ of habeas corpus denied.

**ALCALA (JUAN C.) ON H.C.****S138756**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**BROWN (KAREEM) ON H.C.****S138870**

Petition for writ of habeas corpus denied.

**BRINKLEY (JAMES) ON H.C.****S138914**

Petition for writ of habeas corpus denied.

**MCKETTRICK (TIMOTHY C.) ON H.C.****S138918**

Petition for writ of habeas corpus denied.

**MCDANIEL (ROBERT D.) ON H.C.****S138935**

Petition for writ of habeas corpus denied.

**CORNELIOUS (DAMIAN) ON H.C.**

**S138937**

Petition for writ of habeas corpus denied.

**SOLIS (HUGO) ON H.C.****S138981**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**NGUYEN (NINH) ON H.C.****S138987**

Petition for writ of habeas corpus denied.

**THOMPSON (TRAVIS RAY) ON H.C.****S138999**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**VUONG (HUNG SI) ON H.C.****S139046**

Petition for writ of habeas corpus denied.

**CROSS (MITCHELL) ON H.C.****S139054**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304.)**KNUTSON (RONDALD) ON H.C.****S139066**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**PENN (MARVIN A.) ON H.C.****S139078**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**RODGERS (FLOYD A.) ON H.C.****S139080**

Petition for writ of habeas corpus denied.

**MURPHY (KIRK DOUGLAS) ON H.C.****S139139**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**HARRIS (EARNEST) ON H.C.**

**S139140**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**SMITH (JAMES) ON H.C.****S139185**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**SYZEMORE (PHILIP J.) ON H.C.****S139199**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750.)

**LISCHEFSKI (JOHN) ON H.C.****S139203**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750.)

**THOMPSON (RAFT L.) ON H.C.****S139209**

Petition for writ of habeas corpus denied.

**NAVARRO (MANUEL M.) ON H.C.****S139210**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750.)

**LEWIS (RAYMOND) ON H.C.****S139211**

Petition for writ of habeas corpus denied.

**SANCHEZ (FRANK) ON H.C.****S139214**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**BURTON (BERNARD T.) ON H.C.****S139215**

Petition for writ of habeas corpus denied.

(See *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218.)

**WOOTEN (JAMES D.) ON H.C.****S139216**

Petition for writ of habeas corpus denied.

**MOSLEY (ROBERT LA-SEAN) ON H.C.**

**S139219**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**RODRIGUEZ (JOSE) ON H.C.****S139225**

Petition for writ of habeas corpus denied.

**MOSLEY (ROBERT LA-SEAN) ON H.C.****S139247**

Petition for writ of habeas corpus denied.

**AGUAYO (GABRIEL) ON H.C.****S139251**

Petition for writ of habeas corpus denied.

**CORNELIOUS (DON JUAN) ON H.C.****S139261**

Petition for writ of habeas corpus denied.

(See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)**SPADE (HAROLD) ON H.C.****S139263**

Petition for writ of habeas corpus denied.

**BUMPHUS (ANTHONY) ON H.C.****S139264**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**GAISIE (EMMANUEL) ON H.C.****S139270**

Petition for writ of habeas corpus denied.

**SMITH (JOHN LEE) ON H.C.****S139272**

Petition for writ of habeas corpus denied.

**YOUNG (KEITH) ON H.C.****S139435**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**HARRIS (EARNEST S.) ON H.C.****S139437**

Petition for writ of habeas corpus denied.

**WILLIAMS (ANTHONY) ON H.C.**



**S139441**

Petition for writ of habeas corpus denied.

**BALDERRAMA (ARMANDO) ON H.C.****S139442**

Petition for writ of habeas corpus denied.

**ALLEN (WILLIAM) ON H.C.****S139463**

Petition for writ of habeas corpus denied.

**CLOSE (MARCEL) ON H.C.****S139465**

Petition for writ of habeas corpus denied.

**FINNEY (SPENCER) ON H.C.****S139469**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**WILLIAMS (ROLAND) ON H.C.****S139471**

Petition for writ of habeas corpus denied.

**THOMAS (JOHNNY C.) ON H.C.****S139473**

Petition for writ of habeas corpus denied.

**HILL (RODRICK) ON H.C.****S139479**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218.)**OLIVER (JAMES W.) ON H.C.****S139486**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)**MARTIN (GEORGE) ON H.C.****S139490**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *People v. Furhman* (1997) 16 Cal.4th 930, 945.)**BROWN (LEON SHELBY) ON H.C.****S139491**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750.)**ROSS (ROBERT LAMONT) ON H.C.**

**S139501**

Petition for writ of habeas corpus denied.

**LEE (GERALD) ON H.C.****S139502**

Petition for writ of habeas corpus denied.

**KING (ALTON) ON H.C.****S139506**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**MAGRAFF (WENDELL JOSEPH) ON H.C.****S139514**

Petition for writ of habeas corpus denied.

**DE LOS SANTOS (BENJAMIN) ON H.C.****S139542**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**PEREZ (ARTHUR RICHARD) ON H.C.****S139573**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)**BRIA (ROBERT JOHN) ON H.C.****S139589**

Petition for writ of habeas corpus denied.

**CARABALLO (MICHAEL A.) ON H.C.****S139819**

Petition for writ of habeas corpus denied.

**MARKARIAN (ARMIK) ON H.C.****S139996**

Petition for writ of habeas corpus denied.

**CAMACHO (JUAN RAMON) ON H.C.****S140248**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750.)**LEWIS (RAYMOND) ON H.C.****S140798**

Petition for writ of habeas corpus denied.

**CASTRO (HECTOR) ON H.C.**

**S140863**

Petition for writ of habeas corpus denied.  
(See *In re Clark* (1993) 5 Cal.4th 750.)

**FRANKLIN (ROBERT D.) ON H.C.****S140884**

Petition for writ of habeas corpus denied.

**CRUZ (DANNY R.) ON H.C.****S140899**

Petition for writ of habeas corpus denied.

**PALMER (GARY) ON H.C.****S140910**

Petition for writ of habeas corpus denied.  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dexter* (1979) 25 Cal.3d 921.)

**PEREZ (IGNACIO) ON H.C.****S140917**

Petition for writ of habeas corpus denied.  
(See *In re Miller* (1941) 17 Cal.2d 734.)

**WALTERS (ROBERT KELLY) ON H.C.****S143033**

Petition for writ of habeas corpus denied.

**PEREZ (RICARDO) ON H.C.****S143411**

Petition for writ of habeas corpus denied.

**HESS (GARY M.) ON H.C.****S143749**

Petition for writ of habeas corpus denied.

**THOMPSON (TRAVIS R.) ON H.C.****S144590**

Petition for writ of habeas corpus denied.

**NAVARRO (MANUEL M.) ON H.C.****S144709**

Petition for writ of habeas corpus denied.

**MOTLEY (EDWARD E.) ON H.C.****S144825**

Petition for writ of habeas corpus denied.

**WYATT (RICKY) ON H.C.****S145126**

Petition for writ of habeas corpus denied.  
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

**SOKOLOSKY (MARK S.) ON H.C.**

**S145258**

Petition for writ of habeas corpus denied.  
(See *In re Clark* (1993) 5 Cal.4th 750.)

**TURNER (ANTHONY R.) ON H.C.****S145260**

Petition for writ of habeas corpus denied.  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**CONRAD (RONALD W.) ON H.C.****S145592**

Petition for writ of habeas corpus denied.  
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**JONES (JEFFREY T.) ON H.C.****S145667**

Petition for writ of habeas corpus denied.  
Corrigan, J., was recused and did not participate.

**GRIFFEY (TERY TY) ON H.C.****S145725**

Petition for writ of habeas corpus denied.

**GRAYSON (ALFRED) ON H.C.****S145762**

Petition for writ of habeas corpus denied.

**STEWART (MICHAEL) ON H.C.****S145823**

Petition for writ of habeas corpus denied.  
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**WILSON (MARK) ON H.C.****S145832**

Petition for writ of habeas corpus denied.

**GHIRARDI (CASSANDRA) ON H.C.****S145839**

Petition for writ of habeas corpus denied.  
(See *In re Dexter* (1979) 25 Cal.3d 921.)

**SCOTT (STEVEN C.) ON H.C.****S145162**

B179923 Second Appellate District, Div. 4

**MARKOWITZ v. FIDELITY NATIONAL  
TITLE COMPANY**

On the recommendation of the Court of Appeal pursuant to rule 978 of the California Rules of Court, the Reporter of Decisions is directed to publish the Court of Appeal opinion in the above-entitled appeal in the Officials Reports. See rule 978(c)(2), California Rules of Court.

**S132433**      B172981 Second Appellate District, Div. 5      **BRANICK v. DOWNEY SAVINGS & LOAN**  
Publication request denied.

**S144266**      D045795 Fourth Appellate District, Div. 1      **BROOK HILLS HOMEOWNERS**  
Publication request denied.      **ASSOCIATION v. BASS**

**S144851**      A110638 First Appellate District, Div. 1      **JAMES v. BERKELEY FARMS, INC.**  
Publication request denied.

**S145035**      B172533 Second Appellate District, Div. 3      **MAYES v. BRYAN**  
Depublication request denied.

**S145085**      H027860 Sixth Appellate District      **LOS ALTOS EL GRANADA INVESTORS v.**  
Depublication request denied      **CITY OF CAPITOLA**

**S145191**      D047088 Fourth Appellate District, Div. 1      **BRIERTON v. DEPARTMENT OF MOTOR**  
Depublication request denied.      **VEHICLE**

**S027094**      **PEOPLE v. ELLIOT (MARCHAND)**  
Record augmentation denied.  
Appellant's Motion for Remand to the Superior Court to Augment and Settle the Record," filed on  
June 16, 2006, is denied.

**S027094**      **PEOPLE v. ELLIOT (MARCHAND)**  
The "Application for Extend Deadline to File Appellant's Opening Brief by 90 Days," filed on August 24, 2006,  
is denied.

**S058537**      **PEOPLE v. COLLINS (SCOTT FORREST)**  
Appellant's "Application for Permission to File Supplemental Reply Brief" is granted.

**S145705**      **WEINTRAUB ON RESIGNATION**  
Resignation declined.  
This court, having received and considered the voluntary resignation of David Brian Weintraub, State Bar No.  
152571, as a member of the State Bar of California, declines to accept the resignation. The order of disbarment,  
which became final on July 2, 2006, remains in effect. (Cal. Rules of Court, rule 960(c).)

